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June 14, 2024

VIA ECF

The Honorable Valerie Figueredo
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: *Harrington Global Opportunity Fund, Limited v. BofA Securities, Inc., et al.,*
1:21-cv-00761-LGS (S.D.N.Y.)**

Dear Judge Figueredo:

We write on behalf of Plaintiff Harrington Global Opportunity Fund, Limited (“Harrington”) in the above-captioned matter. Pursuant to the Protective Order, ECF No. 111, we write to request approval to file under seal, and publicly file redacted, certain portions of a letter and an appended exhibit to be filed by Harrington opposing Defendant CIBC World Markets, Inc.’s (“CIBC”) motion for a protective order.

The letter contains the name of a third-party client that CIBC disclosed in discovery and that may be relevant to Harrington’s spoofing allegations. The exhibit includes correspondence between the parties in which this client is referenced by name.

The Protective Order provides that the parties “may designate as confidential for protection under this Protective Order, in whole or in part, any document, information, or material that constitutes or includes, in whole or in part, confidential or proprietary information or trade secrets of the Party or a Third Party to whom the Party reasonably and in good faith believes it owes an obligation of confidentiality with respect to such document, information, or material.” CIBC has designated the identity of this third party as Confidential Discovery. Thus, Harrington seeks to file under seal references to the third party in the letter and exhibit.

Pursuant to Your Honor’s Individual Rules and Practices, Harrington is publicly filing its letter and exhibit with proposed redactions and electronically filing under seal a copy of the unredacted documents with the proposed redactions highlighted.

Warshaw Burstein, LLP

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Finally, the Appendix below lists the parties and their counsel of record who should have access to the sealed documents.

MEMO ENDORSED


HON. VALERIE FIGUEREDO
UNITED STATES MAGISTRATE JUDGE

DATED: June 17, 2024

The sealing request herein is granted in accordance with the Protective Order (ECF No. 111). The Clerk of Court is directed to maintain the viewing restrictions on ECF No. 317. The Clerk of Court is also respectfully directed to terminate the Motions at ECF Nos. 312 and 319.

Respectfully submitted,
WARSHAW BURSTEIN LLP

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Appendix

The following parties and attorneys of record should have access to the sealed document:

Plaintiff Harrington Global Opportunity Fund, Limited

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Andrew C. Indorf
Aditi Shah

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Matthew A. Marcucci

CHRISTIAN ATTAR

James Wes Christian
Ardalan Attar

Defendants BofA Securities, Inc. and Merrill Lynch Canada, Inc.

O'MELVENY & MYERS LLP

Abby F. Rudzin
William J. Martin

Defendants TD Securities, Inc. and TD Securities (USA) LLC

KING & SPALDING LLP

Jamie S. Dycus
David Lesser
Jenny Pelaez

Defendants CIBC World Markets Inc. (Canada)

DENTONS

Sandra D. Hauser
Stephen J. Senderowitz
Timothy J. Storino